

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

JAMES E. MCMILLAN III

Plaintiff,

-against-

New York State Board of Elections

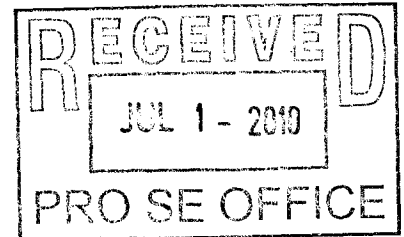
and

New York City Board of Elections

Defendant.

-----X

**AMENDED
COMPLAINT**



1. At all times hereinafter mentioned, plaintiff was and still is a resident of 1996 Nostrand Ave - Brooklyn, NY 11210.

2. **Defendant, New York State Board of Elections**, is a corporation incorporation under the laws of New York State and having a main office at 40 Steuben Street, Albany, NY. 12207, and is licensed to do business in New York State

and

Defendant, New York City Board of Elections, is corporation incorporation under the laws of New York State and having a main office at 32 Broadway, New York, NY. 10004-1609, and is licensed to do business in New York State

3. The jurisdiction of this court is invoked pursuant to (42 U.S.C. 1983) Deprivation of Rights

4. **(New York State Board of Elections)** At Oral Argument on June 16, 2010 the defendant(s) admitted to deliberately allowing selective political parties to appear on the ballot with more than (15) fifteen characters in clear violation of New York State Elections Law (7-104(2)). At the same time they took "DAMN" out the "Rent is too damn high" party name and that is a Deprivation of Rights. I was "Deprived" from having, and "Discriminated" against.

(2)

And

(The City of New York Board of Election) setting the trap to make sure the word "DAMN" would not appear on any ballot in the State of New York because the word "DAMN" is offensive as a curse word.

(EXHIBITS)

(Exhibit-1)

Shows a notarize letter from me the Plaintiff, requesting (Rent Is Too Damn High) be edited to (Rent Is 2 Damn High) as the same agreed upon at oral argument on June 16, 2010.

(Exhibit-2)

Shows the entrapment scheme by the New York City Board of Elections shows (3) three letter sent to me dated August 21, 2009

(Exhibit-3)

continues confusion by NYC Board of Elections aim to confuse voters the (exhibit) shows the NYC Board of Election web site edit the name Rent Is Too Damn High to Rent Is Too High and did not edit the others.

(Exhibit-4)

shows the NYS Board of Elections edit "Rent is too damn high" and allowed the others to violate New York State Elec. Law (7-104(2) 15 Character Limitations

(Exhibit-5)

Shows the defendant NYS Board of Elections admitted, by saying YES to United States District Judge, JOHN GLEESON at oral argument on June 16, 2010 when asked if any other political parties name exceed the legal limit New York State Elec. Law (7-104(2) 15 Character Limitations

(Exhibit-6)

another example of the defendant(s) went after the word "DAMN" to remove it endorsing there of there religious beliefs.

(Exhibit-7)

the defendant says the name "Rent Is Too Damn High" was too long they edited it so it could fit. This is the same lever voting machine used in the 2005 General Election where the name "Rent is too damn high" fitted in its entirely.

(Exhibit-8)

(3)

another example of the name "Rent is too damn high" fitted in the Lever Voting Machine used then and now.

(Exhibit-9)

the New York State Board of Elections stated that I the Plaintiff, never offered an alternative suggestion and that is an omission of Perjury. The New York State Board of Elections violated 6-138(3)(a) of the law.. This exhibit shows this is all I received from them. I learned they had edited the name "Rent is too damn high" to "Rent is too high" when I went to vote on Election Day

(Exhibit-10)

Certificated of Acceptance shows the people signed the petitions and wanted the Rent is too damn high party to represent there fight, and as can be seen on (Exhibit-1) we offered to reduce it and were denied by the NYC Board of Elections. NYS Board never gave us a chance.

All the evidence is against the defendant(s) not only did the get caught committing perjury they are and still is continuing perjuring to the Court. There can be know other reason after admitting they allowed other political parties to violate New York State Elec. Law (7-104(2) 15 Character Limitations what else can it be. They are guilty of endorsing there Religious Beliefs and that the word "DAMN" is a curse word.

5. WHEREFORE, plaintiff demands;

Money damages in the amount of \$350, 000. 000 (Three Hundred and Fifty Million Dollars)

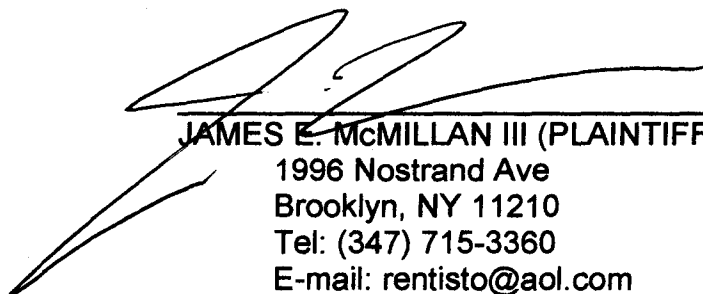
Preliminary Injunction against the defendant from performing cetin acts in the future.

- a. Allow **"Rent Is 2 Damn High"** a lifetime appearance on and in all State wide ballots and in all voting machines.
- b. In the Order to Show Cause I ask the court to Order the defendant(s) to Pay for Legal Fees. I am looking for the court to Grant that request.

(4)

Any further relief which the court may deem appropriate

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James E. McMillan III', is written over a horizontal line.

JAMES E. McMILLAN III (PLAINTIFF, PRO SE)

1996 Nostrand Ave
Brooklyn, NY 11210
Tel: (347) 715-3360
E-mail: rentisto@aol.com

DATE: July 1, 2010

ANDREW M. CUOMO

Attorney General of the State of new York
120 Broadway
New York, NY 10271

BY: Joel Garber
Attorney for Defendant the New York State Board of Elections

MICHAEL CARDOZO

Corporation Counsel for the City of New York
100 church Street
New York, NY 10007

By: Stephen Kitzinger
Attorney for Defendant the New York City board of Elections

EX-1

RENT

Is Too Damn High

1996 Nostrand Ave-Brooklyn, NY 11210-Tel: (347) 715-3360-E-mail: rentisto@aol.com

Jimmy McMillan,
Founder, Chairman, CEO

Orlando Aupont
President

A After making the ballot in 2005 we didn't think there would be a problem with party name since the same voting machines are being used. Taking the word "DAMN" out of our party name would only confuse our supporters. Even though we disagree with the board but in good faith we made a decision that meets the boards requirements of (15) fifteen letters. The Rent Is Too Damn High committee had a meeting on October 2, 2009 on the changing of our Party name on all circulating petitions in the future it will be as followed:

(NEW EMBLEM)

Rent Is 2 Damn High

(Old Name)

Rent Is Too Damn High

(17) Letters

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
R	E	N	T	I	S	T	O	O	D	A	M	N	H	I	G	H

(New Name)

Rent Is 2 Damn High

(15 Letters)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
R	E	N	T	I	S	2	D	A	M	N	H	I	G	H

We hope the board agree to these changes and allow "Rent Is 2 Damn High" to appear on the ballot.

(2)

Dated: October 5, 2009

Respectfully,



Jimmy McMillan

XAVIER LA BOY
Notary Public - New York
Qualified in Kings County
01LA6175954
My Commission Expires 10/22/2011

Xavier La Boy 10/5/09

CERTIFICATE

(Pursuant to Section 6-138(3)(b) of Election Law)
(selecting a different name/emblem for an independent body)

I, Jimmy McMillan
residing at 1996 Westway Ave
having been nominated by the RENT IS TOO DAMN HIGH
Party, an independent body, as a candidate for the Office of MAYOR

at the GENERAL Election to be held on November 3rd/2009

200__, and the Board of Elections in the City of New York, having made as determination, pursuant to

Election Law Section 6-138(3)(a), that the use of the name and/or emblem of the **RENT**
Is 2 Damn High Party

creates the possibility of confusion with the name/emblem of an existing party or an independent body

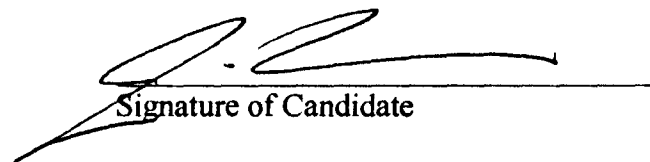
previously filed independent nominating petition for the same office; and notice of such determination

having been mailed to me by said Board on _____ 200__; I hereby

select the name/emblem **Rent Is 2 Damn High** Party as a different name/emblem,

pursuant to Section 6-138(3)(b) of the Election Law.

10-5-09
DATE


Signature of Candidate

STATE OF NEW YORK)

ss:

COUNTY OF KINGS)

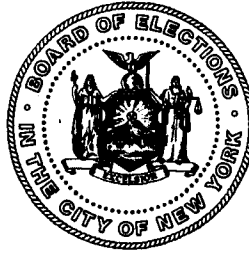
On this 05 day of October, 2009, before me personally appeared

Jimmy McMillan, to me known and known to me to be the individual described therein, and who
executed the foregoing instrument, and he acknowledge to me that he executed the same

Xavier La Boy
Notary Public

XAVIER LA BOY
Notary Public - New York
Qualified in Kings County
01LA6175954
My Commission Expires 10/22/2011

24-2



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

STEVEN H. RICHMAN
GENERAL COUNSEL
Tel: (212) 487-5338
Fax: (212) 487-5342
E-Mail:
srichman@boe.nyc.ny.us

Via Express Mail

Date: August 21, 2009

TO: Jimmy McMillan
1996 Nostrand Avenue
Brooklyn, NY 11210

Dear Mr. McMillan:

On August 18, 2009 an independent nominating petition nominating you as the candidate for Mayor for the "Rent is Too Damn High Party" was filed with the Board of Elections in the City of New York.

Pursuant to the provisions of Section 6-138(3) (a) of the New York State Election Law which provides:

"The name selected for the independent body making the nomination shall be in English characters and shall not include the name or part of the name or an abbreviation of the name or part of the name, or shall the emblem or name be of such a configuration as to create the possibility of confusion with the emblem or name of a then existing party or the emblem or name of an independent body selected by a previously file independent nominating petition for the same office."

and

Section 7-104(2) of the Election Law, which provides:

"The names of parties or independent bodies which contain more than fifteen letters may, whenever limitations of space so require, be printed on the ballot in an abbreviated form."

a Commissioners' Committee of the Board of Elections in the City of New York, at its meeting held today, has determined that the name which appears on the independent nominating petition filed on your behalf does not comply with the foregoing requirements. In addition, the symbol or emblem selected is the name of the independent body that exceeds the aforementioned statutory requirements.

Therefore, pursuant to Sections 6-138(3)(b) and 7-104(2) of the New York State Election Law, the Board of Elections in the City of New York hereby sends this notice to select a name and emblem for your independent political body which complies with the foregoing requirements.

In accordance with those statutory provisions, you may file with the Board of Elections in the City of New York (at its General Offices located in the Borough of Manhattan at 32 Broadway, 7th Floor, New York, NY 10004) **within seven days after the date of this notice**, a certificate selecting a abbreviated form of the name of the independent body and an emblem reflecting the name selected. A sample certificate form is also enclosed herewith.

Please note that if you do not file such a certificate with the Board of Elections in the City of New York, then that Board, pursuant to the provisions of Sections 6-138(3) (f) and 7-104(2) shall select a name and emblem.

Thank you for your cooperation and understanding in this matter.

Very truly yours,

The Commissioners of Elections in the City of New York



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
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COMMISSIONERS

BOARD OF ELECTIONS

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STEVEN H. RICHMAN
GENERAL COUNSEL
Tel: (212) 487-5338
Fax: (212) 487-5342
E-Mail:
srichman@boe.nyc.ny.us

August 21, 2009

Jimmy McMillan
(Candidate/Contact Person)

Candidate's Name: Jimmy McMillan

Independent Body: The Rent is Too Damn High

Office: Mayor of the City of New York

District: Citywide

Dear Sir:

Please be advised that your petition volume(s) **NY-09-00923**

fails to comply with the New York State Board of Elections Regulations, 9 NYCRR Section 6215.1 (a), which states: "**The sheets of a petition shall be numbered sequentially at the foot of each sheet**".

You may attempt to cure this defect by filing a copy of the petition volume(s) listed above, which is in compliance with Section 6215.1(a) of the NYS Board of Elections Regulations within three business days of the date of this letter. **Such filing can only be done in person** at the Executive Office, 32 Broadway, 7th Floor, Borough of Manhattan, New York.

The Board of Elections has not determined if such a cure will be sufficient to comply with the above-stated requirements.

Very truly yours,

THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK

CERTIFICATE

(Pursuant to Section 6-138(3)(b) of the Election Law)
(selecting a different name/emblem for an independent body)

I, James McMillan
residing at 1996 Nostrand Ave
having been nominated by the RENT IS TOO DAMN HIGH
Party, an independent body, as a candidate for the Office of MAYOR

at the General ~~NOV 3 2009~~ Election to be held on NOV 3 2009
2009; and the Board of Elections in the City of New York, having made a determination,
pursuant to Election Law Section 6-138(3)(a), that the use of the name and/or emblem of the

☒ RENT
Is Too Damn High ~~RENT IS TOO DAMN HIGH~~

Party creates the possibility of confusion with the name/emblem of an existing party or an
independent body that previously filed independent nominating petition for the same office; and
notice of such determination having been mailed to me by said Board on 08/21/09
2009; I hereby select the name/emblem RENT IS TOO DAMN HIGH

Party as a different name/emblem, pursuant to Section 6-138(3)(b) of the Election Law.

8-24-09
Date

[Signature]
Signature of Candidate
James McMillan

STATE OF NEW YORK)

COUNTY OF New York SS:

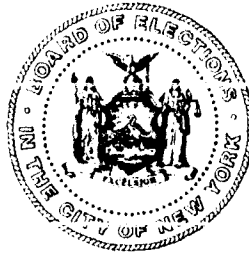
On this 24 day of August, 2009, before me personally appeared _____
, to me known and known to me to be the individual described therein, and who

executed the foregoing instrument, and he acknowledge to me that he executed the same.

[Signature]
Notary Public

Ali Yildirim
Notary Public, State of New York
Reg. # 01Y16196600
My Comm. Exp. 11/17/2012

RECEIVED
GO. BOARD OF ELECTIONS
IN THE CITY OF NEW YORK
2009 AUG 24 AM 11:12



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

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STEVEN H. RICHMAN
GENERAL COUNSEL
Tel: (212) 487-5338
Fax: (212) 487-5342
E-Mail:
srichman@boe.nyc.ny.us

August 21, 2009

Abbi Rogers-Haff
(Candidate/Contact Person)

Candidate's Name: Abbi Rogers-Haff

Independent Body: The Rent is Too Damn High

Office: Member of City Council

District: 9th

Dear Madam:

Please be advised that your petition volume(s) NY-09-00923

fails to comply with the New York State Board of Elections Regulations, 9 NYCRR Section 6215.1 (a), which states: "**The sheets of a petition shall be numbered sequentially at the foot of each sheet**".

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The Board of Elections has not determined if such a cure will be sufficient to comply with the above-stated requirements.

Very truly yours,

THE COMMISSIONERS OF ELECTIONS
IN THE CITY OF NEW YORK

CANDIDACY LIST CITYWIDE
General Election 2009 - 11/03/2009
Public Offices

TENTATIVE
SUBJECT TO CHANGE



Mayor (Citywide)

Name	Candidate ID	Address	Party/Independent
William C Thompson Jr.	123716	106 West 121 Street New York, NY 10027	Democratic Party
Michael R Bloomberg	28007	17 East 79 Street New York, NY 10075	Republican Party
Michael R Bloomberg	28007	17 East 79 Street New York, NY 10075	Independence Party
Stephen Christopher	163238	310 16 Street Brooklyn, NY 11215	Conservative Party
William C Thompson Jr.	123716	106 West 121 Street New York, NY 10027	Working Families Party
Michael R Bloomberg	28007	17 East 79 Street New York, NY 10075	Jobs and Education Party
Francisca Villar	174657	2363 Valentine Avenue 18 Bronx, NY 10458	for Socialism and Liberation Party
Dan Fein	174658	52-54 St. Nicholas Pl. 33 New York, NY 10031	Socialist Workers Party
Billy Talen	174664	65 East 3 Street Brooklyn, NY 11218	Green Party
Joseph Dobrian	47053	215 East 26 Street New York, NY 10010	Libertarian Party
Jimmy McMillan	148399	1996 Nostrand Ave Brooklyn, NY 11210	Rent Is Too High Party

EX-3

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

PRINTED AS OF:

5/6/2009 5:08:06PM

STATEMENT AND RETURN REPORT BY Senatorial District

General Election 2006 - 11/07/2006

Kings County

All Parties and Independent Bodies

FOR GOVERNOR/LIEUTENANT GOVERNOR (NYC) NO. OF CANDIDATES TO BE ELECTED 1

Senatorial District 17

Public Counter	35,148
Emergency	415
Absentee/Military	404
Affidavit	1,149
TOTAL BALLOTS	37,203
John J Faso / C Scott Vanderhoef (Republican)	1,988
Eliot Spitzer / David A Paterson (Democratic)	26,017
Eliot Spitzer / David A Paterson (Independence)	944
John J Faso / C Scott Vanderhoef (Conservative)	328
Eliot Spitzer / David A Paterson (Working Families)	2,100
Malachy McCourt / Alison Duncan (Green)	581
John Clifton / Donald Silberger (Libertarian)	133
Jimmy McMillan (Rent Is Too High)	200
Maura DeLuca / Ben O'Shaughnessy (Socialist Workers)	69
JOHN FASO (Write-In)	1
MATTHEW J. SANABRIA (Write-In)	1
RABBI YEHRDA LEVIN (Write-In)	1
TOTAL VOTES	32,363
UNRECORDED	4,840



Senatorial District 18

Public Counter	53,350
Emergency	287
Absentee/Military	857
Affidavit	1,586
TOTAL BALLOTS	56,247
John J Faso / C Scott Vanderhoef (Republican)	1,496
Eliot Spitzer / David A Paterson (Democratic)	39,365
Eliot Spitzer / David A Paterson (Independence)	1,672
John J Faso / C Scott Vanderhoef (Conservative)	354
Eliot Spitzer / David A Paterson (Working Families)	7,004
Malachy McCourt / Alison Duncan (Green)	1,069
John Clifton / Donald Silberger (Libertarian)	114
Jimmy McMillan (Rent Is Too High)	379
Maura DeLuca / Ben O'Shaughnessy (Socialist Workers)	77
AL SHARPTON (Write-In)	1
ALTON MADDOX (Write-In)	2
BENJAMIN A MARSHALL (Write-In)	2
CHARLES BARLEY (Write-In)	1
CHARLES BARRON (Write-In)	13
KEVIN CUMMINS (Write-In)	1
MCCOURT (Write-In)	1
MCLACAY (Write-In)	1
NOAM CHOMSKY (Write-In)	1
TOM SUOZZI (Write-In)	1
TOTAL VOTES	51,554
UNRECORDED	4,693



EX-5

NYS Board of Elections Governor Election Returns Nov. 7, 2006



RECAP	1,274,335	3,086,709			42,166	14,736	13,355	5,919			
County	Republican	Democratic	Independence	Conservative	Working Families	Green	Libertarian	Rent Is Too High	Socialist Workers		
	Faso	Spitzer	Spitzer	Faso	Spitzer	McCourt	Clifton	McMillan	DeLuca	Bik, Void	Total
	Vanderhoef	Paterson	Paterson	Vanderhoef	Paterson	Duncan	Silberger	N/A	O'Shaughnessy	Scattering	
Albany	23,153	71,200	5,819	3,695	3,391	1,194	347	179	134	2,597	111,509
Allegany	5,846	5,783	535	729	250	132	54	50	30	903	14,312
Broome	19,221	38,414	2,559	1,723	1,710	613	224	136	86	2,302	64,988
Cattaraugus	9,311	9,657	876	1,492	448	194	88	84	52	1,081	23,283
Cayuga	7,670	15,338	1,318	1,230	793	224	89	45	71	1,930	28,708
Chautauqua	14,208	17,293	1,824	2,402	573	243	140	119	76	1,567	38,445
Chemung	8,997	14,820	1,039	504	482	149	80	87	54	1,502	27,714
Chenango	5,619	7,504	635	409	382	204	89	39	33	685	15,599
Clinton	7,031	13,031	1,342	628	549	151	87	100	50	1,867	24,836
Columbia	8,178	12,134	1,305	1,469	743	222	86	35	39	804	25,015
Cortland	4,705	7,977	688	582	515	169	58	38	20	526	15,276
Delaware	5,689	7,113	680	484	248	186	51	38	32	779	15,300
Dutchess	25,356	45,432	3,555	3,739	1,695	961	352	245	112	4,092	85,539
Erie	76,656	152,183	14,568	19,163	11,175	2,500	989	869	454	14,230	292,787
Essex	4,844	6,387	742	317	237	96	38	49	27	1,169	13,906
Franklin	3,918	6,823	634	270	178	99	36	24	20	772	12,774
Fulton	5,207	7,627	817	633	309	79	57	39	28	739	15,535
Genesee	7,559	7,813	867	1,420	358	129	67	52	38	967	19,270
Greene	7,108	7,311	793	1,098	354	150	77	44	32	864	17,831
Hamilton	1,285	1,056	111	118	50	25	15	4	7	174	2,845
Herkimer	6,902	10,103	933	709	374	125	74	56	52	1,310	20,638
Jefferson	7,899	13,625	1,589	822	434	140	85	71	59	1,826	26,350
Lewis	2,856	3,642	324	283	93	37	31	23	9	449	7,747
Livingston	7,406	9,705	921	1,042	442	204	113	33	38	854	20,758
Madison	6,533	11,731	1,267	1,163	472	184	92	52	31	871	22,396
Monroe	61,798	133,034	11,112	13,216	5,537	1,726	959	439	267	8,020	236,108
Montgomery	4,329	7,562	834	668	303	86	65	40	27	728	14,840
Nassau	108,175	214,660	12,001	14,392	7,791	2,296	1,007	721	325	17,685	379,053
Niagara	20,736	32,183	2,869	4,324	2,425	354	180	168	115	3,041	66,395
Oneida	22,730	38,728	3,922	2,602	2,093	410	222	224	106	5,508	76,545
Onondaga	38,205	92,473	7,907	7,075	4,269	1,597	472	363	233	5,230	157,824
Ontario	11,438	18,011	1,529	1,769	659	229	152	66	30	1,114	34,997
Orange	26,058	51,368	3,894	3,936	1,508	695	288	276	128	4,823	92,974
Orleans	4,578	4,530	455	753	256	73	62	39	28	604	11,378
Oswego	9,664	17,416	1,811	1,678	748	335	144	104	57	1,495	33,452
Otsego	6,150	10,144	824	531	499	264	88	47	26	861	19,434
Putnam	10,050	15,065	1,721	1,821	756	359	108	73	54	2,342	32,349
Rensselaer	14,389	30,318	3,953	2,818	1,699	498	196	128	59	2,403	56,461
Rockland	24,966	44,267	3,364	3,891	1,893	650	219	178	112	4,109	83,649
St. Lawrence	8,112	16,966	1,312	632	609	188	107	90	68	1,644	29,728
Saratoga	25,897	43,680	4,703	3,369	1,853	614	305	124	112	3,450	84,107
Schenectady	13,363	29,375	3,297	2,476	1,277	411	190	118	72	1,936	52,515
Schoharie	4,556	4,816	516	625	197	106	28	35	18	391	11,288
Schuyler	2,315	2,905	246	199	166	72	18	19	6	473	6,419
Seneca	3,232	5,721	514	391	276	79	47	35	17	414	10,726
Steuben	12,082	13,169	1,112	776	513	218	121	52	36	1,822	29,901
Suffolk	107,699	196,370	19,335	16,872	7,748	2,908	1,068	732	541	14,218	367,489
Sullivan	5,232	11,775	1,060	828	370	239	70	60	41	1,343	21,018
Tioga	6,412	7,849	605	429	289	131	54	36	21	580	16,406
Tompkins	6,633	18,226	962	484	2,025	537	155	56	46	1,291	30,415
Ulster	14,922	35,559	3,401	2,393	1,881	1,226	325	196	120	2,757	62,780
Warren	7,631	12,161	1,305	826	457	247	84	69	26	1,597	24,403
Washington	6,212	9,366	1,024	812	432	181	84	45	30	1,169	19,355
Wayne	9,942	12,329	1,159	1,709	504	185	114	57	32	1,103	27,134
Westchester	66,984	161,339	10,661	8,099	5,246	2,296	867	948	323	17,927	274,690
Wyoming	5,722	5,181	488	937	281	82	48	42	17	711	13,509
Yates	2,822	3,793	342	304	148	50	33	14	16	351	7,873
Total Outside NYC	956,191	1,802,041	153,779	147,757	80,963	27,752	11,297	8,103	4,693	155,800	3,348,376
Bronx	13,649	135,952	4,121	2,469	6,868	912	286	1,022	239	20,865	186,383
Kings	34,818	250,669	9,981	5,381	26,612	4,358	834	1,601	364	33,894	368,512
New York	31,664	274,989	10,999	2,574	27,408	5,954	1,397	1,438	359	21,346	378,328
Queens	43,676	231,327	8,823	6,608	10,920	2,559	714	975	212	24,827	330,641
Richmond	25,483	45,886	2,958	3,865	2,413	631	208	216	52	3,915	85,627
Total NYC	149,490	938,823	36,882	20,897	74,221	14,414	3,439	5,252	1,226	104,847	1,349,491
STATEWIDE TOTAL	1,105,681	2,740,864	190,661	168,654	155,184	42,166	14,736	13,355	5,919	260,647	4,697,867

NYS Board of Elections US Senate Election Returns Nov. 7, 2006

RECAP												1,392,189	1,008,428	55,469	6,004	20,996	6,967
County	Republican		Democratic		Independence		Conservative		Working Families		Green	Socialist Equality		Libertarian		Socialist Workers	
	John	Hillary	Rodham	Hillary	Rodham	John	Hillary	Rodham	Howie	William	Jeffrey T.	Roger	Bik.	Void	Total		
	Spencer	Clinton	Clinton	Spencer	Clinton	Hawkins	Van Aiken	Russell	Calero	Scattering							
Albany	24,841	68,815	4,667	3,868	3,012	1,940	178	618	132	3,438	111,509						
Allegany	6,018	5,591	488	721	255	122	24	68	23	1,028	14,338						
Broome	22,332	33,307	2,033	1,959	1,508	913	121	332	83	2,400	64,988						
Cattaraugus	8,692	10,445	847	1,339	450	185	37	95	35	1,177	23,302						
Cayuga	8,086	15,186	1,177	1,262	844	298	48	126	36	1,645	28,708						
Chautauqua	13,922	17,754	1,739	2,249	633	277	82	176	54	1,559	38,445						
Chemung	10,062	13,798	901	607	480	177	46	71	40	1,552	27,734						
Chenango	5,945	7,128	578	477	365	272	39	99	19	677	15,599						
Clinton	7,189	12,973	1,263	713	552	208	66	148	51	1,691	24,854						
Columbia	7,301	12,427	1,174	1,276	752	429	36	145	43	1,432	25,015						
Cortland	5,148	7,516	621	579	485	257	32	75	9	554	15,276						
Delaware	6,159	6,573	563	542	240	235	25	82	17	864	15,300						
Dutchess	29,522	41,329	2,729	4,268	1,478	1,206	138	505	94	4,270	85,539						
Erie	77,310	152,721	13,206	18,538	11,124	3,038	544	1,458	465	14,894	293,298						
Essex	4,857	6,152	636	341	219	155	25	69	31	1,421	13,906						
Franklin	3,691	6,990	583	282	225	108	16	65	16	798	12,774						
Fulton	5,396	7,260	698	632	304	132	40	77	14	980	15,535						
Genesee	7,355	8,105	777	1,345	390	131	27	102	24	1,014	19,270						
Greene	6,662	7,383	716	979	378	208	68	106	28	1,303	17,831						
Hamilton	1,315	948	101	130	48	29	7	20	5	242	2,845						
Herkimer	7,426	9,427	789	751	384	160	54	120	34	1,518	20,663						
Jefferson	8,348	13,516	1,371	889	497	171	50	101	29	1,387	26,359						
Lewis	2,887	3,539	280	281	90	64	26	43	11	526	7,747						
Livingston	8,003	9,025	683	1,100	441	233	33	125	22	1,093	20,758						
Madison	7,530	10,644	1,050	1,253	434	315	29	120	32	1,022	22,429						
Monroe	69,224	127,350	8,989	13,910	5,484	1,950	283	1,128	247	7,912	236,477						
Montgomery	4,451	7,335	702	637	298	116	43	66	28	966	14,640						
Nassau	123,782	204,321	9,371	16,013	7,418	2,591	415	1,424	321	14,080	379,716						
Niagara	20,358	32,786	2,628	4,179	2,438	435	123	236	84	3,130	66,395						
Oneida	25,651	36,184	3,366	3,059	2,032	582	150	335	100	5,086	76,545						
Onondaga	43,017	87,853	6,360	7,626	3,903	3,137	222	588	154	5,196	158,056						
Ontario	12,042	17,371	1,219	1,805	674	260	45	181	33	1,367	34,997						
Orange	31,517	46,158	2,798	4,548	1,324	916	165	415	104	5,029	92,974						
Orleans	4,399	4,727	423	720	265	75	23	64	13	669	11,378						
Oswego	10,525	16,419	1,465	1,747	728	485	79	181	31	1,804	33,464						
Otsego	6,739	9,309	700	640	458	406	56	127	34	965	19,434						
Putnam	11,654	13,784	1,252	2,180	654	390	34	181	52	2,168	32,349						
Rensselaer	15,783	29,065	3,326	2,986	1,595	795	88	328	56	2,443	58,465						
Rockland	25,954	43,023	2,950	4,146	1,765	746	138	384	108	4,434	83,649						
St. Lawrence	7,836	17,180	1,281	689	644	247	45	141	48	1,683	29,774						
Saratoga	28,669	40,097	3,585	3,482	1,803	993	131	495	99	4,753	84,107						
Schenectady	14,430	28,148	2,750	2,550	1,233	653	90	288	71	2,302	52,515						
Schoharie	4,327	4,950	469	638	170	168	26	65	14	461	11,288						
Schuyler	2,399	2,769	236	218	182	111	14	40	14	436	6,419						
Seneca	3,314	5,623	469	433	285	96	20	61	16	415	10,732						
Stauben	12,780	12,104	893	822	564	277	40	136	25	2,260	29,901						
Suffolk	119,314	188,131	14,359	18,850	7,614	3,298	417	1,596	412	13,776	367,567						
Sullivan	6,274	10,868	856	1,035	370	294	47	103	28	1,143	21,018						
Tioga	6,975	7,254	522	503	249	186	31	73	13	600	16,406						
Tompkins	7,418	17,240	854	528	1,719	1,271	65	211	68	1,041	30,415						
Ulster	17,677	32,288	2,615	2,903	1,635	1,758	202	383	146	3,173	62,760						
Warren	8,086	11,357	1,097	765	476	288	46	101	30	2,157	24,403						
Washington	6,466	8,787	803	750	400	275	48	104	31	1,691	19,355						
Wayne	10,343	11,798	970	1,803	569	258	32	121	22	1,218	27,134						
Westchester	73,260	159,309	9,583	9,013	5,325	3,194	320	1,649	338	13,393	275,384						
Wyoming	5,554	5,216	498	950	278	95	22	54	16	826	13,509						
Yates	2,815	3,749	249	310	178	68	12	24	7	463	7,873						
Total Outside NYC	1,039,010	1,731,085	127,308	156,619	78,318	37,675	5,263	16,229	4,109	155,525	3,351,141						
Bronx	14,656	147,929	4,590	2,430	7,273	1,007	91	308	288	7,811	186,383						
Kings	42,424	260,053	9,341	5,871	25,231	5,576	193	1,035	780	18,008	368,512						
New York	37,583	282,469	9,334	2,888	24,564	7,705	278	2,091	1,091	10,256	378,328						
Queens	50,162	235,003	8,096	7,190	11,168	2,904	143	968	553	14,454	330,641						
Richmond	29,067	42,392	2,036	4,289	2,238	602	36	296	146	4,525	85,627						
Total NYC	173,892	967,846	33,397	22,668	70,474	17,794	741	4,767	2,858	55,054	1,349,491						
STATEWIDE TOTAL	1,212,902	2,698,931	160,705	179,287	148,792	55,469	6,004	20,996	6,967	210,579	4,700,632						

NYS Board of Elections Comptroller Election Returns Nov. 7, 2006



RECAP										
		1,612,270	2,349,578			117,908	40,472	14,745		
County	Republican	Democratic	Independence	Conservative	Working Families	Green	Libertarian	Socialist		
	J. Christopher Callaghan	Alan G. Hevesi	Alan G. Hevesi	J. Christopher Callaghan	Alan G. Hevesi	Julia Willebrand	John J. Cain	White Cotton	Bik Void Scattering	Total
Albany	32,372	53,980	3,784	5,017	2,671	4,336	984	248	8,127	111,509
Allegany	6,599	4,298	387	807	194	296	132	47	1,552	14,312
Broome	26,103	25,440	1,526	2,374	1,270	1,630	571	182	5,892	64,988
Cattaraugus	9,709	8,001	733	1,511	383	520	221	73	2,132	23,283
Cayuga	10,964	9,903	761	1,614	548	719	282	74	3,843	28,708
Chautauqua	15,039	14,339	1,505	2,499	548	726	301	110	3,378	38,445
Chemung	11,393	10,422	614	714	366	486	309	66	3,344	27,714
Chenango	6,785	5,417	402	528	286	493	184	58	1,446	15,599
Clinton	9,536	8,443	728	924	345	511	273	101	3,975	24,836
Columbia	8,504	9,944	899	1,509	621	913	218	72	2,335	25,015
Cortland	6,126	5,564	427	749	359	475	177	49	1,350	15,276
Delaware	6,457	5,204	434	577	201	498	163	42	1,724	15,300
Dutchess	30,615	34,890	2,417	4,358	1,349	2,506	899	203	8,302	85,539
Erie	97,742	113,580	10,321	23,084	8,970	7,402	2,761	877	28,050	292,787
Essex	5,835	4,037	401	434	155	455	107	39	2,443	13,906
Franklin	5,140	4,525	328	432	134	346	141	38	1,690	12,774
Fulton	6,409	5,379	545	732	218	425	168	34	1,625	15,535
Genesee	8,727	5,484	550	1,584	282	445	195	40	1,983	19,270
Greene	7,092	6,058	597	1,094	283	494	174	45	1,993	17,831
Hamilton	1,387	758	80	138	41	84	19	6	322	2,845
Herkimer	8,441	6,857	573	898	267	467	238	66	2,831	20,638
Jefferson	10,536	9,049	999	1,176	343	733	318	93	3,103	26,350
Lewis	3,301	2,568	193	316	64	172	95	33	1,005	7,747
Livingston	9,460	6,385	524	1,270	287	521	235	59	2,017	20,758
Madison	9,530	7,110	649	1,507	331	693	294	67	2,215	22,396
Monroe	91,747	88,530	6,072	16,595	3,978	6,538	2,241	740	21,667	236,108
Montgomery	5,258	5,487	507	781	216	464	163	41	1,723	14,640
Nassau	134,209	172,202	8,764	16,792	6,570	5,543	2,796	826	31,551	379,053
Niagara	25,202	23,380	1,926	5,059	1,933	1,322	597	154	8,822	66,395
Oneida	30,239	26,174	2,481	3,714	1,530	1,631	816	216	9,744	76,545
Onondaga	60,949	57,836	4,014	9,902	2,932	5,495	1,478	454	14,764	157,824
Ontario	15,299	11,414	835	2,215	497	950	346	73	3,368	34,997
Orange	33,038	38,471	2,570	4,690	1,175	1,900	817	236	10,077	92,974
Orleans	5,013	3,328	294	801	203	244	139	39	1,317	11,378
Oswego	13,010	11,262	1,016	2,176	470	923	416	131	4,048	33,452
Otsego	7,542	7,151	530	703	387	782	224	61	2,054	19,434
Putnam	11,892	11,240	1,217	2,166	632	803	322	84	3,993	32,349
Rensselaer	19,493	22,585	2,591	3,706	1,251	1,908	532	119	4,276	56,461
Rockland	26,405	36,499	2,585	4,257	1,636	1,699	1,311	167	9,090	83,649
St. Lawrence	10,133	12,145	849	927	451	808	317	112	3,986	29,728
Saratoga	37,755	28,413	2,675	4,543	1,278	2,355	709	132	6,247	84,107
Schenectady	18,246	20,696	2,122	3,173	965	1,959	537	127	4,690	52,515
Schoharie	4,725	3,876	411	667	182	406	106	32	881	11,288
Schuyler	2,618	2,159	199	244	131	165	83	21	799	6,419
Seneca	4,147	3,986	310	510	236	300	120	28	1,089	10,726
Steuben	14,158	8,575	626	953	381	603	318	79	4,208	29,901
Suffolk	130,594	153,899	13,101	19,844	6,351	7,723	3,300	831	31,846	367,469
Sullivan	6,494	9,266	727	1,062	323	496	229	64	2,357	21,018
Tioga	7,797	5,439	359	549	219	373	135	43	1,492	16,406
Tompkins	8,783	13,129	605	640	1,612	1,817	383	142	3,304	30,415
Ulster	19,052	27,056	2,334	3,092	1,593	2,554	661	208	6,230	62,780
Warren	10,632	7,754	677	1,137	312	777	227	56	2,831	24,403
Washington	8,013	6,338	560	1,055	315	607	201	45	2,221	19,355
Wayne	12,657	7,876	655	2,050	413	672	279	65	2,467	27,134
Westchester	82,302	130,899	8,129	9,432	4,614	6,006	2,401	700	30,207	274,690
Wyoming	6,157	3,975	393	998	233	277	138	31	1,307	13,509
Yates	3,476	2,503	167	366	118	179	80	17	987	7,873
Total Outside NYC	1,220,847	1,329,161	100,688	180,625	63,653	84,625	31,861	8,596	328,300	3,348,376
Bronx	15,584	112,761	3,009	3,057	6,088	1,874	751	1,008	42,251	186,383
Kings	40,724	208,329	7,258	6,696	22,657	10,271	2,067	1,736	68,774	368,512
New York	50,856	215,178	7,238	4,305	22,413	14,526	3,561	2,109	58,142	378,328
Queens	50,957	193,545	6,815	7,718	9,501	5,445	1,689	1,079	53,892	330,641
Richmond	26,875	36,870	2,285	4,026	2,109	1,167	543	217	11,535	85,627
Total NYC	184,996	766,683	26,605	25,802	62,768	33,283	8,611	6,149	234,594	1,349,491
STATEWIDE TOTAL	1,405,843	2,095,864	127,293	206,427	126,421	117,908	40,472	14,745	562,894	4,697,867

NYS Board of Elections Attorney General Election Returns Nov. 7, 2006



RECAP										
	1,692,580	2,509,311				61,849	29,413	10,197		
County	Working Families									
	Republican		Democratic		Independence		Conservative		Socialist Workers	
	Jeanine Pirro	Andrew M. Cuomo	Jeanine Pirro	Jeanine Pirro	Andrew M. Cuomo	Rachel Treichler	Christopher B. Garvey	Martin Koppel	Blk. Void	Total
Albany	27,925	63,472	4,019	3,351	3,303	2,719	961	203	5,556	111,509
Allegany	6,682	4,520	435	704	256	207	98	41	1,369	14,312
Broome	24,472	30,097	1,865	1,765	1,691	836	410	140	3,712	64,988
Cattaraugus	10,061	8,258	847	1,363	457	280	171	57	1,789	23,283
Cayuga	10,195	12,099	1,044	1,278	751	380	191	61	2,709	28,708
Chautauqua	15,412	15,303	1,678	2,203	686	381	225	107	2,450	38,445
Chemung	12,032	11,517	792	573	446	263	139	53	1,899	27,714
Chenango	6,587	6,168	518	439	377	312	127	42	1,029	15,599
Columbia	9,458	9,508	1,124	646	487	317	224	114	2,958	24,836
Cortland	8,174	11,149	1,005	1,230	814	545	191	52	1,855	25,015
Delaware	5,724	6,655	492	588	484	279	112	27	915	15,276
Dutchess	6,472	5,795	522	479	267	281	111	31	1,342	15,300
Essex	33,330	36,430	2,956	3,951	1,623	1,394	640	139	5,076	85,539
Franklin	87,224	134,911	12,855	17,910	11,314	4,380	2,189	742	21,262	292,787
Fulton	5,865	4,617	579	320	222	219	142	37	1,905	13,906
Genesee	4,874	5,258	548	255	198	163	100	52	1,328	12,774
Greene	6,028	6,248	535	552	400	220	125	32	1,395	15,535
Hamilton	8,757	8,397	644	1,334	375	195	103	48	1,419	19,270
Herkimer	7,102	6,550	847	922	393	311	155	39	1,712	17,831
Jefferson	1,372	833	83	124	55	39	30	4	305	2,845
Lewis	8,218	8,090	656	693	419	286	115	62	2,099	20,638
Livingston	10,801	10,594	1,193	805	500	272	184	60	1,941	26,350
Madison	3,375	2,797	301	248	102	86	75	20	743	7,747
Monroe	8,463	8,265	584	988	458	274	170	39	1,517	20,758
Montgomery	8,584	9,111	895	1,176	511	356	180	56	1,527	22,396
Nassau	73,553	119,842	6,618	12,905	6,230	2,413	1,397	353	12,797	236,108
Niagara	4,791	6,665	580	552	367	176	146	52	1,311	14,840
Oneida	138,113	184,139	10,097	14,987	7,566	2,983	1,937	470	18,761	379,053
Onondaga	23,640	27,154	2,575	4,061	2,381	856	387	159	5,182	66,395
Oswego	28,964	31,091	2,915	2,707	2,039	951	592	175	7,111	76,545
Saratoga	51,472	77,120	5,495	7,240	4,350	2,515	1,041	312	8,279	157,824
Schenectady	13,558	15,192	980	1,738	737	392	244	50	2,108	34,997
St. Lawrence	35,702	40,655	3,203	4,144	1,424	1,071	608	163	6,004	92,974
Schoharie	4,954	3,894	355	672	267	120	94	22	1,000	11,378
Schuyler	12,280	13,834	1,264	1,654	723	533	264	84	2,816	33,452
Seneca	7,249	8,354	606	570	534	432	163	55	1,471	19,434
Steuben	13,383	12,199	1,445	1,999	749	431	245	52	1,848	32,349
Suffolk	17,386	26,755	2,481	2,704	1,815	1,087	492	113	3,628	56,461
Sullivan	28,408	39,548	3,240	3,776	2,005	844	537	114	5,177	83,649
Tioga	10,513	13,404	1,077	678	618	336	200	76	2,826	29,728
Tompkins	31,340	37,149	2,683	3,191	1,921	1,373	693	146	5,611	84,107
Ulster	15,323	26,246	2,253	2,227	1,479	988	478	98	3,423	52,515
Warren	4,569	4,429	441	535	213	203	119	27	752	11,288
Washington	2,659	2,463	208	187	203	122	45	13	521	6,419
Westchester	3,854	4,807	395	379	286	161	88	27	729	10,726
Wyoming	13,779	10,571	700	724	581	463	180	64	2,839	29,901
Yates	138,621	163,768	14,802	17,695	7,477	3,602	2,238	593	18,693	367,489
Total Outside NYC	7,335	9,228	942	944	425	292	164	40	1,648	21,018
Bronx	7,520	6,434	447	448	305	183	93	28	948	16,406
Kings	7,641	18,449	682	432	2,027	825	276	94	1,989	30,415
Queens	20,573	28,820	2,671	2,630	1,860	1,569	520	162	3,975	62,780
Richmond	10,304	8,922	936	813	458	415	179	63	2,313	24,403
Total NYC	7,804	7,206	697	768	410	317	136	59	1,958	19,355
STATEWIDE TOTAL	11,270	10,413	750	1,700	585	333	200	48	1,835	27,134
	93,335	138,291	10,437	8,479	5,436	2,921	1,971	401	13,419	274,690
	6,401	4,070	448	889	274	157	79	41	1,150	13,509
	3,204	3,147	187	285	157	103	44	19	727	7,873
	1,186,683	1,526,901	119,423	146,610	82,491	44,162	23,018	6,429	212,659	3,348,376
	18,610	121,743	3,757	2,593	6,928	1,041	526	546	30,639	186,383
	43,558	221,950	7,347	5,667	25,223	5,741	1,477	1,034	56,515	368,512
	41,758	247,290	8,029	2,670	24,831	7,175	2,717	1,291	42,567	378,328
	55,054	202,248	7,385	6,746	10,696	3,086	1,279	740	43,407	330,641
	30,465	36,677	2,460	3,765	2,333	644	396	157	8,730	85,627
	189,445	829,908	28,978	21,441	70,011	17,687	6,395	3,768	161,858	1,349,491
	1,376,128	2,356,809	148,401	168,051	152,502	61,849	29,413	10,197	394,517	4,697,867

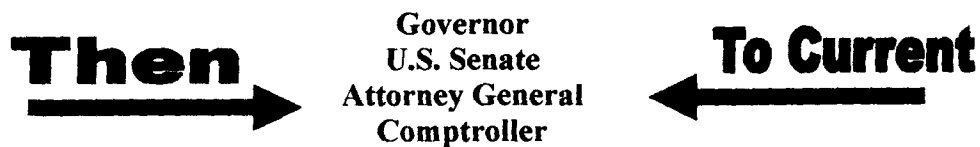
EX-6

NYS Board of Elections – Nov. 7. 2006

General Election

	Socialist Equality	Socialist Workers	Rent Is Too Damn High
1)	S	S	R
2)	O	O	E
3)	C	C	N
4)	I	I	T
5)	A	A	I
6)	L	L	S
7)	I	I	T
8)	S	S	O
9)	T	T	O
10)	E	W	D
11)	Q	O	A
12)	U	R	M
13)	A	K	N
14)	L	E	H
15)	I	R	I

Double Standard



Ex-7

RENT IS TOO (DAMN) HIGH

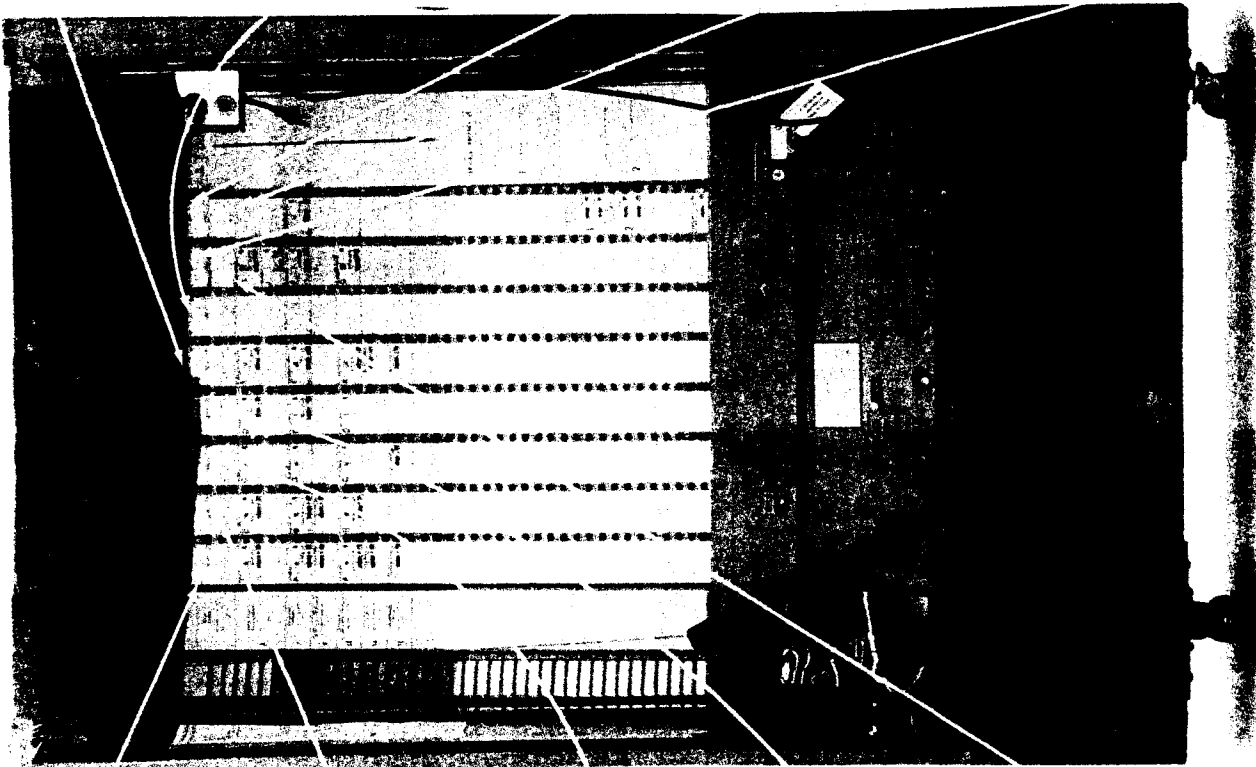
The founder of the bluntly named party, Jimmy McMillan, is its perennial nominee for mayor. Four years ago, the city's Board of Elections allowed the full name of the organization to appear on the ballot. This time, it has expurgated the word "damn," much to Mr. McMillan's dismay.

Rent Is Too High

11

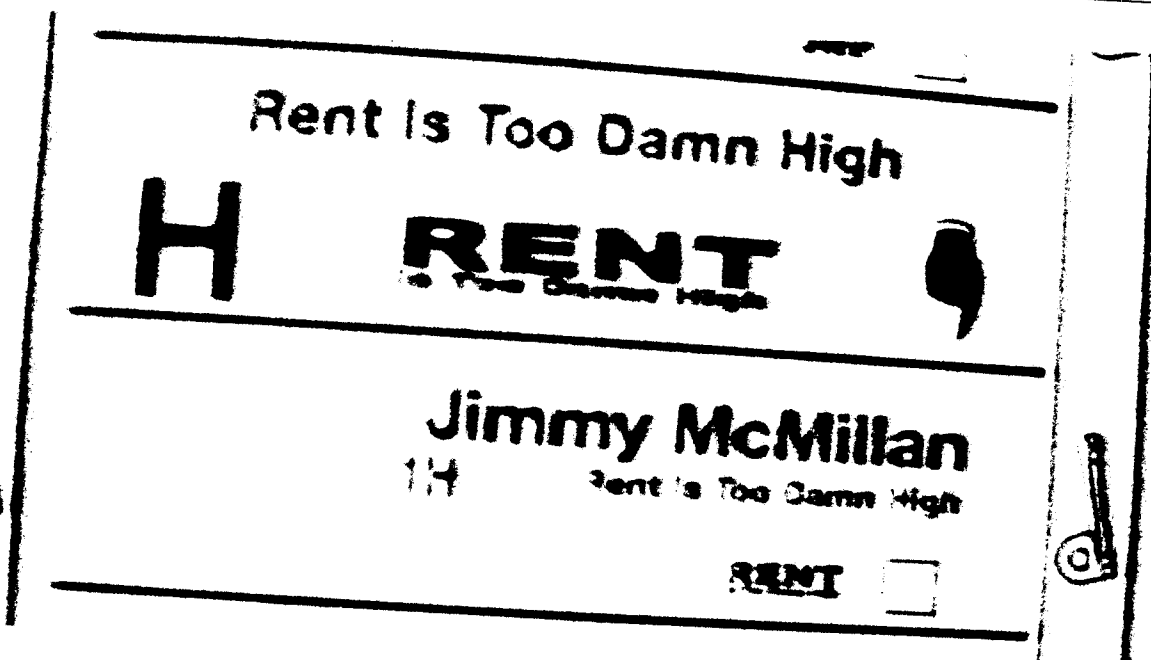
Jimmy McMillan

11



EX-8

Rent Is Too Damn High On the 2005 Ballot for MAYOR



2005 VOTER GUIDE

2005 Elections

CANDIDATES

Mike Bloomberg (R, I, L)
Fernando Ferrer (D)
Thomas V. Ognibene (C)
Kevin A. Finnegan (WF)
Seth Blum (EP)
Anthony Gronowicz (G)
Audrey Silk (LBT)
Jimmy McMillan (RTD)
Martin G. Koppel (SW)

PARTY KEY

R = Republican
D = Democrat
I = Independence
C = Conservative
WF = Working Families
EP = Education Party
G = Green
L = Liberal
LBT = Libertarian
RTD = Rent is Too Damn High Party
SW = Socialist Workers Party

Please note: At press time, although the vote count indicated that there was a possibility of a run off election for the Democratic nomination, Anthony Weiner publicly conceded the primary election to Fernando Ferrer. Therefore, we have not published Mr. Weiner's name or his candidate profile in this Guide. However, a run off election is still possible.



ET-9

State of New York
STATE BOARD OF ELECTIONS

40 STEUBEN STREET
ALBANY, N.Y. 12207
Phone: 518/474-6367 Fax: 518/486-4546

August 23, 2006

Jimmy McMillan
1996 Nostrand Avenue
Brooklyn, NY 11210

Dear Mr. McMillan:

Pursuant to Election Law Section 6-134(2), this office has determined that the petition to designate or nominate the listed candidate(s) to the indicated office(s) by the indicated party or independent body is not in compliance with Title 9 of the Official Compilations of Codes, Rules and Regulations of the State of New York, Part 6215 for the following reasons.

Candidate	Office	Party or Independent Body
Jimmy McMillan	New York State Governor	Rent Is Too Damn High Party

Basis of Non-Compliance	Applicable regulation
Failure to Provide Distribution Schedule for Statewide Petitions	6215.2(a)(2)

Pursuant to Election Law Section 6-134(2) you have three business days to cure or correct the above mentioned noncompliance.

Cures must be received no later than 5:00 p.m. on August 28, 2006

All cures should be directed to the office of Special Counsel. Cures will be accepted by personal delivery, or if applicable, facsimile transmission or mail.

Failure to comply by the date set forth above may result in the invalidation of your petition.

Sincerely,

Todd D. Valentine
Special Counsel

cc:

EX-10

CERTIFICATE OF ACCEPTANCE

(Section 6-146, Election Law)

I, Jimmy McMillan, residing at

(Candidate's Name)

1996 NOSTRAND AVE

(Address)

having been designated/nominated by the REIT IS TOO DAMN HIGH Party,

(Name of Party)

as a candidate for the office of

MAYOR
(Title of Office and Political Subdivision)_____
(District Number if any) district, do hereby ACCEPT such designation/nomination

and consent to be such candidate of such party at a

General
(Special/Primary/General)election to be held on November 3, 200908-15-09
(Date)[Signature]
(Signature of Candidate)

STATE OF NEW YORK

COUNTY OF KINGSOn this 18th day of August, 2009, before me personally appearedJimmy McMillan, to me known and known to me to be the individual described therein, and who executed the foregoing instrument, and acknowledged to me that he/she executed the same.[Signature]
Notary PublicSTEPHEN KNIGHTS
Notary Public, State of New York
No. 06KN5018040
Qualified in Kings County
Commission Expires 7/1/2011RECEIVED
60-600000 OF NEW YORK
IN THE
2009 AUG 19 PM 5:58

